IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CRL.R.No.2323 of 2006

DATE OF ORDER: 29.11.2006

Sahab Singh etc

...Petitioner(s)

Versus

State of Haryana

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. S.S. Malik, Advocate.

Mr. Y.P. Malik, AAG, Haryana.

M.M. AGGARWAL,J

This is petition against judgment dated 1.11.2006 passed by Additional Sessions Judge, Sonepat whereby appeal filed by the petitioners against judgment dated 9.9.2006 passed by SDJM, Gohana against their conviction for the offence under Sections 324/34 IPC was dismissed as withdrawn.

However, request of the petitioners for being released on probation was declined and sentence of two years of imprisonment and to pay a fine of Rs.2500/- as awarded by the trial Court, was maintained.

Counsel for the petitioners states that conviction was for the

offence under Section 324/34 IPC and the Appellate Court should have released the petitioner on probation.

On the last date, it was directed that each of the petitioners shall deposit Rs.10,000/- as compensation for payment to Arjan Complainant-injured. Same has since been deposited in the court of SDJM, Gohana and receipt shown. The occurrence in this case had taken place on 5.6.1997. About nine years have passed. Petitioners have already suffered enough. Rs.20,000/- have been got deposited as compensation for payment to Arjan complainant-injured.

Petitioners have already undergone imprisonment for about two months.

In view of the above circumstances, I find it a fit case where the petitioner should be released on probation.

It is directed that the petitioners shall be released on probation for a period of two years on their furnishing bonds to the satisfaction of SDJM. They shall maintain peace and be of good behaviour. Bonds shall be submitted in the court of SDJM, Gohana.

November 29, 2006 (M.M. AGGARWAL)
manoj JUDGE